

**NORTH DAKOTA DEPARTMENT OF HUMAN SERVICES
BISMARCK, NORTH DAKOTA
June 20, 2013**

IM 5174

TO: County Social Service Directors
Economic Assistance Policy Regional Representatives
Economic Assistance Policy Quality Control Reviewers

FROM: Carol Cartledge, Director, Economic Assistance Policy

SUBJECT: Felony Drug Conviction Disqualifications

PROGRAMS: Supplemental Nutrition Assistance Program (SNAP)
Temporary Assistance for Needy Families (TANF)

EFFECTIVE: August 1, 2013

RETENTION: Until Manualized

**SECTIONS
AFFECTED:** 430-05-75-25, Other Disqualifications (SNAP)
400-19-45-95-10, Convicted Drug Felon (TANF)

North Dakota House Bill 1176 passed during the 2013 Legislative Session. This bill changed the SNAP and TANF disqualification period for individuals convicted of a Drug Felony after August 22, 1996.

Currently, individuals convicted of a drug felony may be permanently disqualified from receiving SNAP or TANF benefits. Effective August 1, 2013, the length of the disqualification period will change from permanently to seven (7) years from the date of the conviction.

Following are the specific policies for each program:

SNAP

For SNAP applications received on or after August 1, 2013, requiring a felony drug review, the determination letter will include the date of conviction and the seven (7) year disqualification period if the individual is determined disqualified. State SNAP Policy will enter the disqualification period on the IPSA screen in the TECS System.

For open SNAP cases containing an individual who has a 'DD' participation code, at the first review filed on or after August 1, 2013, e-mail the name of the client and the case number to Melissa (Miller) Karabensh @ mkarabensh@nd.gov for re-review. The conviction date and seven (7) year disqualification period will be determined and entered into the TECS system.

Once a conviction date has been entered on the IPSA screen, an alert will be generated on the first day of the last month of the disqualification period. The eligibility worker will need to update the individual's participation code to 'IN'.

Please refer to the TECS Maintenance update document for details on the new alert and changes to the TECS notices, when it becomes available.

TANF

For TANF applications received on or after August 1, 2013, requiring a felony drug review, the determination letter will include the date of conviction and the seven (7) year disqualification period if the individual is determined disqualified. Upon receipt of the determination letter, the eligibility worker will enter the conviction date on the Disqualification window in the Vision System.

Note: For applications received in July 2013, when processing the benefit month of August 2013, the eligibility worker will need to enter the conviction date on the Disqualification window.

All open cases where at least one individual is disqualified due to a Drug Felony have been identified and reviewed by State TANF policy staff. The conviction date has been entered on the Disqualifications window in Vision. When processing benefits for August 2013 for these cases, the system will determine the individual's correct participation code.

For all closed cases where an individual was disqualified, a disqualification will be created on the Disqualification window. At the time an individual reapplies for TANF, the eligibility worker will be required to enter the conviction date on the Disqualifications window. Once the date is entered, the Vision system will determine the period of disqualification.

The Vision System has been enhanced to accommodate this change in policy. The disqualification process for drug felons has been moved from the Felony Information window to the Disqualifications window, notices have been updated and a new alert created. Please refer to the Vision Maintenance Rollout when it becomes available.

If you have any questions, please contact your Regional Representative